

STATE OF: NEW YORK  
US DISTRICT COURT SOUTHERN DISTRICT OF NY COUNTY  
MADISON REALTY CAPITAL, L.P.,

## AFFIDAVIT OF SERVICE

Court/Return Date:

Filed: 7/11/2008

Index/File No.: 08 CIV 6273

PLAINTIFF(s)

THOMAS E. MORRIS,

against

DEFENDANT(s)

County of: Denton  
State of: Texas

ss: The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides in Texas.

On AUGUST 1ST 2008 at 11:10 A. M.  
at 2911 EAST DIVISION STREET, SUITE 411, ARLINGTON, TX 76011deponent served the within: **SUMMONS IN A CIVIL ACTION & COMPLAINT WITH INDEX NUMBER AND DATE FILED**  
this was clearly written/printed on the face of said legal notice.on **THOMAS E. MORRIS**c/o **SIX FLAGS SHOPPING MALL MANAGEMENT**☒ defendant ☐ respondent ☐ witness ☐ claim (hereinafter called the recipient) therein named☐ INDIVIDUAL  
☐ RECORDS  
CUSTODIANBy delivering a true copy of each to said recipient personally, deponent knew the person so served to be the person described as said recipient therein.  
By delivering thereof a true copy of each to \_\_\_\_\_ personally.  
Said individual stated she/he is authorized to accept legal process as/on behalf of the Records Custodian☐ ENTITY☐ Corporation  
☐ Religious Entity  
☐ Government Entity  
☐ Law Office  
☐ PartnershipBy delivering thereof a true copy of each to \_\_\_\_\_  
Said individual stated she/he is a Marketing Agent thereof, authorized to accept legal process.☒ SUITABLE  
AGE PERSON☒ place of business  
☐ dwelling place  
☐ usual place of abodeBy delivering thereof a true copy of each to Deborah White  
a person of suitable age and discretion☐ AFFIXING  
TO DOOR

A true copy of same was affixed to the door of said recipient's

☐ actual place of business  
☐ dwelling place,  
☐ usual place of abode within the state.

After deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

☒ MAILINGDeponent talked to \_\_\_\_\_ at said premises who stated that recipient: ☐ lived there, ☐ worked thereOn AUGUST 1ST, 2008 deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at recipient's last known  
☐ RESIDENCE, ☒ BUSINESS at: 2911 EAST DIVISION, ARLINGTON, TX 76011  
(and) certified mail receipt and/or other mailing☒ DESCRIPTIONThe envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, that the communication was from an attorney or concerned an action against the recipient.  
The envelope was placed into the exclusive care and custody of the U.S. Postal Service.SEX: F COLOR/SKIN: BLACK HAIR: BLACK/AFRO AGE (approx): 40  
HEIGHT (approx): 5FT WEIGHT (approx): 150 lbs. OTHER: \_\_\_\_\_☐ MILITARY☐ FEESUpon information and belief, I aver that recipient is not in active military service of the United States or the State of Texas in any capacity as defined by both the State and Federal statutes.  
Witness/record fee: ☐ was paid (tendered) to the recipient, ☐ was mailed to the witness with subpoena copy.☐ NON-SERVICE☐ Unknown at this address☐ Other: \_\_\_\_\_**SERVICE HAS NOT BEEN EFFECTED AFTER DUE DILIGENCE FOR THE FOLLOWING REASON:**☐ Moved, left no forwarding address☐ Party is Evading Service

Sworn to before me on

04 day of August, 2008

Notary:

Sign Name: Kurt Schedler  
Print Name: KURT SCHEDLER  
License No.: SKA 1098

Client ID: COLE/Madison